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AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

AMERICAN INSTITUTE OF
CERTIFIED PUBLIC
ACCOUNTANTS,

Plaintiff,

v.

STEPHEN LAU,

Defendant.

Case No. 5:24-cv-01940-SSS-SHK

**JOINT STIPULATION FOR
DISMISSAL WITH PREJUDICE
PURSUANT TO FED. R. CIV.
41(a)(1)(A)(ii)**

Complaint filed: 09/11/2024

STEPHEN LAU,
Counter-Claimant,
v.
AMERICAN INSTITUTE OF
CERTIFIED PUBLIC
ACCOUNTANTS,
Counter-Defendant.

Additional Counsel of Record:

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STEPHEN LAU

**JOINT STIPULATION FOR DISMISSAL OF ALL CLAIMS AND
COUNTERCLAIMS WITH PREJUDICE**

This stipulation is entered into by and between Plaintiff and Counter-Defendant American Institute of Certified Public Accountants (“AICPA”) and Defendant and Counter-Claimant Stephen Lau (“Lau”) (collectively, the “Parties”) who, by and through their respective counsel, hereby agree and stipulate to the following:

WHEREAS, on September 11, 2024, AICPA filed its Complaint (the “Action”) (Dkt. 1);

WHEREAS, on December 16, 2024, Mr. Lau filed his answer to AICPA’s Complaint and filed Counterclaims (Dkt. 28);

WHEREAS, on December 17, 2024, Mr. Lau served to AICPA an Offer of Judgment pursuant to Fed. R. Civ. P. 68 (the “Offer of Judgment”);

WHEREAS, on January 6, 2025, AICPA filed its Amended Complaint (Dkt. 30);

WHEREAS, on January 28, 2025, Mr. Lau filed his answer to AICPA’s Amended Complaint and filed Amended Counterclaims (Dkt. 34);

WHEREAS, on March 11, 2025, Mr. Lau filed his answer to AICPA’s Amended Complaint and Second Amended Counterclaims (Dkt. 42);

WHEREAS, on April 2, 2025, Mr. Lau filed an *ex parte* application for a temporary restraining order requiring AICPA to release Mr. Lau’s September 24, 2024 exam score (Dkt. 52), which application the Court denied on April 8, 2025 (Dkt. 62);

WHEREAS, on April 7, 2025, the Parties filed a Joint Stipulation whereby they agreed on that April 10, 2025, AICPA intended to move to dismiss pursuant to Fed. R. Civ. P. 12(b) some, but not all, of Mr. Lau’s Second Amended Counterclaims and would not be required to file a partial answer by April 10, 2025 with respect to those counterclaims which were not the subject of AICPA’s then-anticipated motion to dismiss, and that AICPA’s answer deadline with respect to any counterclaims may be

1 extended until after the Court ruled on the AICPA's motion to dismiss (Dkt. 61);

2 WHEREAS, on April 10, 2025, AICPA filed a motion to dismiss pursuant to
3 Fed. R. Civ. P. Rule 12(b) some, but not all, of Mr. Lau's Second Amended
4 Counterclaims (Dkt. 64);

5 WHEREAS, on April 23, 2025, Mr. Lau filed a motion for preliminary
6 injunction (Dkt. 69), again requesting release of the September 24, 2024 exam, which
7 motion the Court denied following a hearing on the motion on May 23, 2025 (Dkt.
8 99);

9 WHEREAS, on July 17, 2025, following a Settlement Conference with
10 Magistrate Judge Kewalramani, the Parties agreed in principle on the terms of a full
11 and complete settlement of all claims and counterclaims;

12 WHEREAS, Mr. Lau signed the final Settlement Agreement (the "Settlement
13 Agreement") on July 18, 2025, and AICPA delivered a fully executed Settlement
14 Agreement to Mr. Lau on July 21, 2025 ("Effective Date");

15 WHEREAS, pursuant to the final Settlement Agreement, the Parties now seek
16 to dismiss all claims and counterclaims *with prejudice*;

17 WHEREAS, pursuant to the final Settlement Agreement, Mr. Lau's Offer of
18 Judgment is null and void and neither he nor AICPA shall obtain anything from it;

19 WHEREAS, the Parties shall bear their own costs and fees in connection with
20 this Action and Settlement Agreement; and

21 WHEREAS, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), this matter may be
22 dismissed by the filing of a stipulation of dismissal signed by all parties who have
23 appeared; and

24 WHEREAS, the Parties agree that this dismissal is with prejudice.

25 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and
26 between the Parties through their counsel of record herein, and subject to the Court's
27 approval, that:

28 1. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the undersigned parties

1 stipulate that this entire action, including all claims and counterclaims
2 shall be dismissed with prejudice. The dismissal shall be effective upon
3 the filing of this Joint Stipulation.

4 2. Mr. Lau's Offer of Judgment is null and void and neither he nor AICPA
5 shall obtain anything from it.

6
7 Dated: July_21, 2025 SHEPPARD MULLIN RICHTER & HAMPTON LLP

8 Bv: /s/ Tenaya Rodewald
9 TENAYA RODEWALD
10 Attorneys for Plaintiff and Counter-Defendant
11 AMERICAN INSTITUTE OF CERTIFIED
12 PUBLIC ACCOUNTANTS

13 Dated: July 21, 2025 ORRICK HERRINGTON & SUTCLIFFE LLP

14 Bv: /s/ Robert L. Uriarte
15 Robert L. Uriarte
16 Attorneys for Defendant and Counter-Claimant
17 STEPHEN LAU

18 C.D. CAL. LOCAL RULE 5-4.3.4(a)(2)(i) Attestation:

19 I, Tenaya Rodewald, attest that all other signatories listed and on whose behalf
20 this filing is submitted concur in the filing's content and have authorized the filing.

21 Dated: July 21, 2025 SHEPPARD MULLIN RICHTER & HAMPTON LLP

22 Bv: /s/ Tenaya Rodewald
23 TENAYA RODEWALD
24 Attorneys for Plaintiff and Counter-Defendant
25 AMERICAN INSTITUTE OF CERTIFIED
26 PUBLIC ACCOUNTANTS